



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/671,713	09/29/2003	Hirotooshi Fujisawa	SON-2831	9280
23353 7590 02/25/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036				
EXAMINER THERIAULT, STEVEN B				
ART UNIT 2179		PAPER NUMBER		
MAIL DATE 02/25/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/671,713

Applicant(s)

FUJISAWA, HIROTOSHI

Examiner

STEVEN B. THERIAULT

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Art Unit: 2179

DETAILED ACTION

1. This action is responsive to the following communications: Amendment filed 12/04/2007.

This action is made final.

2. Claims 1 -18 are pending in the case. Claims 1 and 3 are the independent claims.

Specification

3. In light of the applicants amendment to the claims the previous objection to the specification is now considered moot.

Claim Rejections - 35 USC § 103

4. **The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:**

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1 – 6, 8 – 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wharton et al. (Hereinafter Wharton) U.S. Patent No. 5831664 issued Nov. 3, 1998, in view of Martin et al (hereinafter Martin)U.S. Patent Publication No. 20020067376 published June 6, 2002.**

In regard to **Independent claim 1**, Wharton teaches a display device for displaying predetermined display information in each of a plurality of display areas, the display device comprising:

- A display unit configured to display said display information (See Wharton Figure 1, #12 and 14). Wharton shows a display unit to display information.

Art Unit: 2179

- A communications unit configured to communicate with another display device (See Figure 1 and column 7, lines 14-45). Wharton teaches a PDA is in communication with another display device and the two are synchronized (See also ABSTRACT).
- Wherein, when the display control unit detects an event corresponding to a predetermined display information displayed in a predetermined area, the display control unit controls said display unit to present the occurrence of the event to the user (See column 5, lines 1-65). Wharton teaches the user selects buttons on the display, which are generated events to display information, where the location button will present text to the user in a specific location and the floor plans and video button will display images of the room of the home the user is interested in buying.
- wherein, when a predetermined display information of said display device and a predetermined display information of said another display device is the same kind of display information, the communication unit receives information corresponding to said predetermined display information from said another display device and the display control unit displays said predetermined display information based on the received information-such that said predetermined display information of said display device is synchronized with said predetermined display information of said another display device. (See column 7, lines 14-45 and column 2, lines 10-37). Wharton teaches a synchronization process that keeps a PDA and a TV in sync while the user is interacting with either the PDA or TV. Wharton teaches that when the user selects an option on the TV to view a picture of the house that the PDA display is dynamically configured to show the house.

Wharton does not expressly teach:

- A setting unit configured to set display control information that represents the relationship between the display area and the display information

- A display control unit configured to control said display unit to display the display information so as to be displayed in each of the plurality of display areas

Wharton teaches displaying information where the relationships of the data presented are in context to the application (See Real Estate application). Wharton teaches presenting the menus as an overlay and for presenting a map and photos of a house where the selectable items in the display possess or are located in specific locations on the display and are set in those locations by the system. Wharton does not specifically mention that setting unit or display unit and the Examiner relies on the teachings of Martin to clarify the features in the prior art.

Martin teaches a portal that maintains an arrangement of cells that contain applications and content. The portal of Martin can interact with a set-top box that is similar to the structure of Wharton, and the display control unit in Martin allows for data to be presented on one or more screens (See Para 47 and 62). Further Martin teaches a control unit that is used for setting the content in a specific location and for maintaining the relationship with the content channels and locations of the cells that display the content channels in the remote displays (See Para 64, 84-88). Martin and Wharton teach processes of displaying real time information to the user as they interact with the applications. They both teach using a set-top box to render content and they both teach a process of the user controlling the content by selecting items they wish to be displayed.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teachings of Wharton and Martin in front of them, to modify the system of Wharton to include the feature of setting unit to control the presentation of information as taught by Martin. The motivation to combine Martin with Wharton comes from the suggestion in Martin that an interface is needed to allow the user to simplify the selection of the information that they want presented and to have a control unit dictate the display information and layout for the receiving end but allow the user to reconfigure it (See Para 69-73). .

With respect to **dependent claim 2**, Wharton teaches a display device wherein the display control unit controls said display unit to switch display area for displaying said predetermined

Art Unit: 2179

display information (See Figure 9). Wharton shows the user selects house button and the display on the second device presents a map on the PDA and then the user selects the house on the PDA and the TV shows the house and then the PDA shows the information about the house, All within specific locations on the display.

With respect to **dependent claim 3**, Wharton teaches a display device wherein display control unit controls said display unit to switch the size of said predetermined display area (See column 7, lines 1-12).

With respect to **dependent claims 4 and 5**, as indicated in the above discussion, Wharton in view of Martin teaches every element of claim 1.

Wharton teaches the display control unit controls the display unit to display the display information as to be displayed in each of the plurality of the display areas based on the information representing the priority (Wharton Figure 8). Wharton shows the display unit possesses a priority feature. For example, the user selects floor plan and then the display would show the overall plan and then the user selects "LR" and the display highlights the LR portion of the floor plan, which indicates to the user that the preferred area is LR and the display controls the information to display LR. A similar example can be for the other rooms of the house. Wharton does not expressly teach the setting unit that sets the priority. However, this limitation would have been obvious to one of ordinary skill in the art, in view of Martin, because Martin teaches a graphical interface that allows a designer to set within an interface the specific locations within the interface that content is to be displayed and in a context sensitive manner. Martin also teaches setting a link to items to display on the second display device (See Para 0070) as the content becomes available the content is presented. When context based requirement changes so will the presented content to the user.

With respect to **dependent claim 6**, Wharton teaches a display device wherein, the display control unit controls said display unit to display a program in said predetermined display area, as

the display information (See figure 8). Wharton teaches the display device will display program information in a predetermined location on the PDA.

With respect to **dependent claims 8-16**, as indicated in the above discussion, Wharton in view of Martin teaches all of the elements of claim 1.

Wharton teaches the display of data, video and information across several devices and teaches a Real Estate example (See column 3, lines 45-55 and column 4, lines 10-15) but Wharton does not expressly teach the display device displays information corresponding to email, a picture from a camera, users community, weather info, a to-do list, a schedule, or an advertisement or responding to events to detect the receipt of email and a person in the picture. However, these limitations would have been obvious to one of ordinary skill in the art at the time of the invention, in view of Martin, because Martin teaches a display of a theme or genre of information, email, local weather, advertising, video on demand, stock tickers, games and CD purchase information (See Para 94, 104, 107, 116, 121, 124, and 125) which can provide movies via a schedule, local weather is weather info, local content can be a users community (See Para 88), etc. Martin teaches the information is dynamically configurable based on the channel as the channel information changes and the portal can change to reflect a channel update such as an email (See Para 69-71). The local content cell can change in response to a user presenting content from a local video recorder (See Para 88).

In regard to **claim 17**, claim 17 incorporates substantially similar subject matter as the device claimed in claim 1, and represents the method for executing the elements of claim 1, as is rejected along the same rationale.

In regard to **claim 18**, claim 18 reflects the computer readable medium comprising computer readable instructions for performing the steps of method claim 17, as is rejected along the same rationale.

6. **Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wharton et al. (Hereinafter Wharton) U.S. Patent No. 5831664 issued Nov. 3, 1998, in view of Martin et al (hereinafter Martin)U.S. Patent Publication No. 20020067376 published June 6, 2002, in further view of Zimmerman et al. (hereinafter Zimmerman) U.S. Publication No. 20030093789 filed Nov. 2001**

With respect to **dependent claim 7**, as indicated in the above discussion, Wharton in view of Martin teaches every element of claim 6.

Wharton does not expressly teach detecting sound volume exceeding predetermined threshold value in a program, as the event. Martin teaches varying the size of a cell based on the configuration data sent from the portal to the remote display (See Para 0064) and the frame cursor can be positioned for the user and can change the channel to the desired channel and allow for a cursor placed over a cell to highlight it (See Page 75). Martin teaches activating the audio when the cell is highlighted. Neither Martin nor Wharton teaches monitoring if the volume level exceeds a predetermined level to trigger an event. However, Zimmerman teaches monitoring a broadcast channel for content in the event that the volume level exceeds a threshold then the system event changes the channel to the channel for the event, turning up the volume and tuning to the special event (See Para 83). Zimmerman teaches broadcasting content in a similar manner as Martin.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention, having the teachings of Wharton, Martin and Zimmerman in front of them, to modify the system of Wharton and Martin to monitor a channel and if the volume attribute of the channel exceeds a threshold then to tune into the given channel. The motivation to combine Wharton, Martin and Zimmerman comes from the suggestion in Zimmerman to fill the need to alarm individuals when a specific content event occurs (See Para 10).

It is noted that any citation to specific pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting

Art Unit: 2179

in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re *Heck*, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re *Lemelson*, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

Response to Arguments

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven B. Theriault whose telephone number is (571) 272-5867. The examiner can normally be reached on M, W, F 10:00AM - 8:00 PM.

Art Unit: 2179

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven B Theriault/
Patent Examiner
Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179